

**Amendments to the Claims:**

Applicants propose to amend claims 1, 7-9, 12, 19, 23, 24, 29, 34, 36, and 40, and cancel claim 22 herein. Please note that all claims currently pending and under consideration in the referenced application are shown below. Please enter these claims as amended. This listing of claims will replace all prior versions and listings of claims in the application.

**Listing of Claims:**

1. (Currently Amended) A method of replicating data in ~~in~~ a networked communication system, comprising:  
utilizing a wireless communication system that does not require reliable networking connections and which includes a first communication node and a second communication ~~node, node;~~  
~~wherein the first and second communication nodes employ wireless communication when within communication range, a method for replicating data, comprising:~~  
 using a first monitor at the first communication node and a second monitor at the second communication node to determine when the first and second communication nodes are within a communication range of each other, wherein at least one of the first and second communication nodes is mobile;  
 creating a dynamic connection between the first and second communication nodes while ~~in~~ they are within the communication range; and  
 employing an opportunistic data transfer between the first and second communication nodes across the dynamic connection while the dynamic connection is activated, wherein the opportunistic data transfer comprises:  
retaining for future communication, first data elements at the first communication node and second data elements at the second communication node when the dynamic connection is inactive;  
 replicating the first data elements and the second data elements at each of the first and second communication nodes by propagating a redundant copy of the first data elements and the second data elements when ~~across~~ the dynamic connection is active; and  
after the replicating, retaining the first data elements and the second data elements at each

of the first and second communication nodes until a command is received to delete or modify the replicated data elements from the network.

2. (Previously Presented) A method as recited in claim 1, wherein replicating includes comparing data stored locally at the first communication node with data stored locally at the second communication node.

3. (Previously Presented) A method as recited in claim 2, wherein if the data stored at the first communication node includes first information that is not stored at the second communication node, the act of replicating includes storing a copy of the first information at the second communication node.

4. (Previously Presented) A method as recited in claim 3, wherein the first information includes an instruction to delete information.

5. (Previously Presented) A method as recited in claim 4, wherein the first information includes an instruction to modify information.

6. (Previously Presented) A method as recited in claim 2, wherein the first communication node includes a first opportunistic data transfer protocol component and the second communication node includes a second opportunistic data transfer protocol component.

7. (Currently Amended) A method as recited in claim 6, wherein the first and second opportunistic data transfer protocol components perform the acts of using the first and second monitors ~~and~~ for creating the dynamic connection.

8. (Currently Amended) A method as recited in claim 1, ~~7~~ further including: using the first and second monitors and a third monitor at a third communication node to determine when the first, second and third communication nodes are within the communication range, wherein the third communication node includes a third opportunistic data transfer protocol component, and wherein at least one of the first, second, and third communication nodes is mobile; and including the third communication node in the dynamic connection.

9. (Currently Amended) A method as recited in claim 8, further comprising third data elements at the third communication node, and wherein the act of replicating the first data elements and the second data elements includes replicating the first data elements, the second data elements, and the third data elements among the first second and third communication nodes.

10. (Previously Presented) A method as recited in claim 9, wherein when at least one of the first, second and third communication nodes is no longer within communication range, excluding the at least one communication node from the dynamic connection.

11. (Previously Presented) A method as recited in claim 10, wherein when the at least one communication node is again within communication range, including the at least one communication node in the dynamic connection and continuing to replicate data with the at least one communication node across the dynamic connection.

12. (Currently Amended) A method as recited in claim 8, ~~7~~, wherein when the dynamic connection is disconnected and the first communication node is within communication range of a fourth communication node that includes a fourth opportunistic data transfer component and a fourth monitor, performing the acts of:  
creating a second dynamic connection between the first and fourth communication nodes while the first and fourth communication nodes are within communication range; and  
replicating data across the second dynamic connection.

13. (Previously Presented) A method as recited in claim 12, wherein the fourth communication node is an intended archival system that includes a storage device.

14. (Previously Presented) A method as recited in claim 13, wherein if the data stored at the first communication node includes information that is not preserved at the fourth communication node, the act of replicating includes storing an archival copy of the non-preserved information at the fourth communication node, and wherein when the non-preserved information is stored at the fourth communication node, initiating instructions from the fourth communication node to the first communication node to deleted the non-preserved information.

15. (Previously Presented) A method as recited in claim 14, wherein the fourth communication node is mobile.

16. (Previously Presented) A method as recited in claim 15, wherein when the first and fourth communication nodes are no longer within communication range, disconnecting the second dynamic connection.

17. (Previously Presented) A method as recited in claim 16, wherein when the first communication node is within communication range with a fifth communication node that includes a fifth monitor and a fifth opportunistic data transfer protocol component, performing the acts of:  
creating a third dynamic connection between the first and fifth communication nodes while in communication range; and  
replicating data across the third dynamic connection, including deleting any non-preserved information at the fifth communication node.

18. (Previously Presented) A method as recited in claim 17, wherein the second and fifth communication nodes are the same communication node.

19. (Currently Amended) A dynamically mobile data communication system for use in moving data and facilitating the arrival of data at an intended archival location, the system comprising:  
a plurality of communication nodes capable of employing wireless communication, wherein at least one communication node of the plurality is mobile and wherein at least one of the plurality of communication nodes is an intended archival system; and  
a storage device located at each communication node of the plurality;  
an opportunistic data transfer protocol component located at each communication node of the plurality, wherein when two or more of the communication nodes of the plurality are within a communication range, the opportunistic data transfer protocol component at each of the two or more of the communication nodes is configured to create a dynamic connection for communication among the two or more communication nodes so long as the two or more communication nodes are within the communication range;

wherein, when the dynamic connection is inactive, each of the two or more of the communication nodes retain data elements for future communication and, when the dynamic connection is active, the data elements at any of the two or more of the communication nodes are replicated across the dynamic connection to all of the two or more of the communication nodes.

20. (Canceled)

21. (Previously Presented) A dynamically mobile data communication system as recited in claim 19, wherein at least one of the plurality of communication nodes is configured to gather data.

22. (Canceled)

23. (Currently Amended) A dynamically mobile data communication system as recited in claim 19, 22, wherein the system is configured to transmit the data elements in segments.

24. (Currently Amended) A dynamically mobile data communication system as recited in claim 19, 22, wherein the intended archival system is configured to propagate an instruction to delete to one or more communication nodes of the plurality to delete data from each of the one or more communication nodes.

25. (Previously Presented) A dynamically mobile data communication system as recited in claim 24, wherein the instruction to delete is propagated upon creating a subsequent dynamic connection between two or more communication nodes of the plurality, wherein at least one of the two or more communication nodes includes the instruction to delete and is configured to issue the instruction to delete to each of the two or more communication nodes of the subsequent dynamic connection.

26. (Previously Presented) A dynamically mobile data communication system as recited in claim 25, wherein when high priority data is gathered, the system is further configured for transmitting the high priority data to a desired location through the use of a secure link.

27. (Original) A dynamically mobile data communication system as recited in claim 26, wherein the secure link includes one of a cellular link and a satellite link.

28. (Original) A dynamically mobile data communication system as recited in claim 27, wherein the high priority data is transferred in real-time.

29. (Currently Amended) A computer program product for implementation in a dynamically networked system, the computer program product comprising:  
a computer-readable medium carrying computer executable instructions for performing the method, wherein the method comprises the steps for:  
determining whether a first communication node and a second communication node are within a communication range, wherein if the first and second communication nodes are within the communication range, performing an opportunistic data transfer by performing the acts of:  
creating a dynamic network between the first and second communication nodes when they are in the communication range;  
determining whether the first and second communication nodes are privileged for a data replication;  
if the first and second communication nodes are determined to be privileged for data replication, performing the acts of:  
comparing first data stored at the first communication node with second data stored at the second communication node;

if the first data includes first information that is not included in the second data, storing the first information at the second communication node; and

if the second data includes second information not included in the first data, storing the second information at the first communication node; and

if the first and second communication nodes are not determined to be privileged for ~~data exchange~~ the data replication, disconnecting the dynamic network.

30. (Previously Presented) A computer program product as recited in claim 29, wherein the first information and the second information include one or more commands to modify data.

31. (Previously Presented) A computer program product as recited in claim 30, wherein the one or more commands to modify data include one or more commands to delete data.

32. (Previously Presented) A computer program product as recited in claim 31, wherein the act of comparing data includes comparing data headers.

33. (Previously Presented) A computer program product as recited in claim 31, wherein the act of comparing data includes comparing file directory information.

34. (Currently Amended) A computer program product as recited in claim 31, wherein the method further comprises the acts of:  
~~determining whether data is the first data and the second data includes~~ high priority data; and  
if the data is high priory data, using a secure link to transmit the high priority data to an intended location.

35. (Original) A computer program product as recited in claim 34, wherein the secure link includes one of a cellular link, and a satellite link.



36. (Currently Amended) In a dynamic communication system that includes a plurality of communication nodes, where at least one of the communication nodes is mobile, a method comprising:

- determining whether a first communication node and a second communication node are within a communication range, wherein the first communication node is mobile; and wherein if the first and second communication nodes are within the communication range,
- performing an opportunistic data transfer by performing the acts of:
  - creating a dynamic network between the first and second communication nodes when they are in the communication range;
  - determining whether the first and second communication nodes are privileged for data replication;
  - if the first and second communication nodes are determined to be privileged for data replication, performing the acts of:
    - comparing first data stored at the first communication node with second data stored at the second communication node;
    - if the first data includes first information that is not included in the second data, storing the first information at the second communication node; and
    - if the second data includes second information that is not included in the first data, storing the second information at the first communication node; and
  - if the first and second communication nodes are not determined to be privileged for ~~data~~ exchange data replication, disconnecting the dynamic network.

37. (Previously Presented) A method as recited in claim 36, further comprising including one or more commands to modify data in the first information, the second information, or combination thereof.

38. (Previously Presented) A method as recited in claim 37, further comprising including one or more commands to delete data in the first information, the second information, or combination thereof.

39. (Previously Presented) A method as recited in claim 38, wherein the act of comparing data includes comparing data headers.

40. (Currently Amended) A method as recited in claim 39, wherein the method further comprises the acts of:  
determining whether ~~data is the first data and the second data includes~~ high priority data; and  
if the data is high priority data, using a secure link to transmit the high priority data to an intended location.

41. (Previously Presented) A method as recited in claim 40, further comprising selecting the secure link to include one of a cellular link and a satellite link.